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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,382	08/08/2001	Muncyasu Fukunaga	011003	8920

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EXAMINER

APPLE, KIRSTEN SACHWITZ

ART UNIT PAPER NUMBER

3628

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/923,382	Applicant(s) FUKUNAGA, MUNEYASU	
	Examiner Kirsten S. Apple	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/04/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

This action is in response to the application filed on 08/08/2001.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been submitted for Japan 2000-239504, filed on 08/08/2000.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1-3 & 4-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular claim 1 & 4 are indefinite (Claim 2 and 3 are dependent on 1, Claims 5-10 are dependent on 4)

when consent information decided upon by said member for said credit line is received from said terminal device, on the basis of this consent information, this information brokering management device commands a process to prohibit the transfer of title of said membership to said membership management device;

after said process to prohibit the transfer of title is carried out by said membership issuing organization, this information brokering management device receives information regarding the completion of the process to prohibit the transfer of title from said membership management device, and commands the establishment of

Art Unit: 3628

said credit line on the basis of said credit line information to said credit line management device; and

It is unclear to the examiner and one of ordinary skill in the art what is claim by this description. For the purposes of this review the examiner will interpret this section of claims 1 & 4 will be:

With the permission of the member, the information brokering management device take position of the membership title as collateral.

The information brokering management device establishes a credit line on the basis of the collateral of the membership.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker (U.S. Patent 6,088,686) in view of Rose (Commercial Bank Management, by Peter Rose, 1991)

Re claim 1: Walker discloses:

A method for electronically setting credits,

- wherein a terminal device operated by a member, (See Walker, Figure 1A, Item 50)

- credit line management device possessed by a credit granting organization are (See Walker, Figure 1A, Item 52)
- connected through a telecommunications network to an information brokering management device possessed by a credit brokering organization for brokering the exchange of information among each of said devices; (see Walker, Figure 1B, Item 54) and

wherein this information brokering management device receives credit line application information sent from said terminal device (see Walker, Figure 40, Item 2004) and sends this to said credit line management device; receives credit line information determined from said credit line management device (Walker, Figure 41, Item 2032) , and sends this information to said terminal device;

With the permission of the member, the information brokering management device take position of the membership title as collateral. (see Walker, column 19, line 53 "relating to applicant's collateral)

The information brokering management device establishes a credit line on the basis of the collateral of the membership. (see Walker, column 19, line 53 "relating to applicant's collateral)

after said credit line is established by said credit granting organization, this information brokering management device receives notification that said credit line is established from said credit line management device, and sends this information to said terminal device. (see Walker, Figure 51, item 2252)

Although Walker does not have a “membership”, Rose teaches that a membership or other valued contact or physical position can be used as collateral. Walker claim explains that “collateral” would be one of the criteria for a lending decisions (see Walker, column 19, line 53 “relating to applicant’s collateral)

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add membership as a form of collateral as taught in Rose to Walker.

It is clear that one would be motivated to give more options to the customer.

Re Claim 2. Walker discloses:

The method for electronically setting credits,
wherein an appraisal management device possessed by an appraisal organization for appraising said membership is connected through said telecommunications network to said information brokering management device (see Walker, Figure 1B, Item 54); and

wherein, instead of sending said credit line application information to said credit line management device, said information brokering management device sends said credit line application information to said appraisal management device, receives market value information for said membership appraised by said appraisal organization from said appraisal management device, and sends this along with said credit line (see Walker, Figure 1B, Item 54);

Re Claim 3. Walker discloses:

The method for electronically setting credits:

Art Unit: 3628

receiving a notification that said credit line is established from said credit line management device, (see Walker, Figure 44, item 2112) and sending this information to said terminal device, said information brokering management device receives information regarding the completion of said process (see Walker, Figure 45, item 2142) and commands said credit line management device to establish said credit line on the basis of said credit line information, and to notify said terminal device that said credit line is established after the establishment of the credit line (see Walker, Figure 44, item 2112)

Re Claim 4, 5 & 6

The method claims 1, 2 & 3 are similar to system claims 4, 5 & 6. It would be obvious to one of ordinary skill in the art that these claim have similar limitation. Therefore, claims 4, 5 & 6 are rejected based on the information provided regarding claims 1, 2 & 3.

Re Claim 7. Walker discloses

The system for electronically setting credits, wherein a plurality of said appraisal organizations which are provided said appraisal management devices is established (see Walker, Figure 1A, item 54); and said means for acquiring market value information send said credit line application information identically to the plurality of said appraisal management devices (see Walker, Figure 1A, item 26), receive a plurality of said market value information, and use said market value information which is the greatest, the least, or an intermediate amount from among the information received (see Walker, Figure 1A, item 54).

Re Claim 8: Walker discloses

The system for electronically setting credits, wherein a plurality of said credit granting organizations possessing said credit line management devices is established (see Walker, Figure 1A, item 52); and said means for acquiring said credit line information send said credit line application information, or this credit line application information and said market value information (see Walker, Figure 1B, item 54), identically to said plurality of credit line management devices, receive a plurality of said credit line information, and command the establishment of said credit line to said credit line management device that sent said credit line of the greatest amount from among the information received. (see Walker, Figure 44, item 2116)

Re Claim 9: Walker discloses

The system for electronically setting credits, and said means for receiving said credit line application information determines the issuing organization of said membership on the basis of said credit line application information (see Walker, Figure 44, item 2112), and makes the issuing organization determined said membership issuing organization in the subsequent processing (see Walker, Figure 1A, item 52)

Re Claim 10: Walker discloses

The system for electronically setting credits, wherein a registration device possessed by a registration organization is connected through said telecommunications network to said information brokering management device (see Walker, Figure 1A, Item 16); and said credit line application information, said credit

line information, or both are registered in said registration device (see Walker, Figure 1A, Item 12)

Re Claim 11: Walker discloses

The system for electronically setting credits, wherein a plurality of said credit appraising organization, wherein a plurality of appraisal organization which are provided appraisal management devices is established (see Walker, Figure 1B, Item 54) and

Means for acquiring market value information send credit line application information identically to the plurality of appraisal management devices (see Walker, Figure 1B, Item 27), receive a plurality of market value information and use market value information which is the greatest, the least or an intermediate amount from among the information received (see Walker, Figure 1B, Item 26).

Re Claim 12: Walker discloses

The system for electronically setting credits, wherein a plurality of said credit granting organizations possessing credit line management devices is established (see Walker, Figure 1A, Item 52).

Means for acquiring credit line information send credit line application information or this credit line application information and market value information, identically to plurality of credit line management devices, (see Walker, Figure 1A, Item 20) receive a plurality of said credit line information and command the establishment of credit line to credit line management device that sent credit line of the greatest amount from amount the information received (see Walker, Figure 1A, Item 17).

Re Claim 13: Walker discloses

Art Unit: 3628

The system for electronically setting credits, wherein a plurality of said membership issuing organizations is established and (see Walker, Figure 1A, Item 56)

Means for receiving credit line application information and makes the issuing organization determined membership issuing organization in the subsequent processing (see Walker, Figure 1A, Item 17).

Re Claim 14/ 4-5: Walker discloses

The system for electronically setting credits, wherein a registration device possessed by a registration organization is connected through a telecommunication network to said information brokering management device and (see Walker, Figure 1A, Item 17)

Credit line application information credit line information or both are registered in registration device. (see Walker, Figure 1A, Item 17)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jones et al., U.S. Patent 5,797,133, teaches a method and system for determining approval of a borrower.

Lent et al., US Patent 6,405,181 teaches real time approval.

Williams et al, US Patent 6,988,082 teaches appraisal for loan approval.

Contact Information

Art Unit: 3628

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on 571.272.6799. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa


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